IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.19 OF 2006

IN

SUMMARY SUIT NO.2003 OF 2005

Tata Consultancy Services Ltd. ...Plaintiff

vs.

Gomti Capital Markets(India)Ltd. ...Defendant.

AND

SUMMONS FOR JUDGMENT NO.20 OF 2006

IN

SUMMARY SUIT NO.1961 OF 2005

Tata Consultancy Services Ltd. ...Plaintiff

vs.

Gomti Credit & Finance Pvt.Ltd. ...Defendant.

Mr.F.Dubhash with Rima Shah i/b. Mulla & Mulla & C.B.&C. for Plaintiff.

Mr.V.B.Kanoria, for Defendant.

CORAM: D.K.DESHMUKH,J.

DATED: 8th June, 2006.

P.C.:-

By consent of parties both the summons for judgment are disposed of by the following common order which is also passed by consent.

1. The defendant is granted leave to defend the suit. Written statement to be filed within a period of Eight weeks from today.

2. The plaintiff is permitted to withdraw the amount of Rs.16,00,000/- (Rupees Sixteen lakhs only) which is deposited by the defendant pursuant to the order passed in the Company Petition no.562 of 2004 and Company Petition no.563 of 2004, on furnishing undertaking to the Court undertaking to re-deposit the amount, if so directed by this Court, on such terms and conditions as may be directed by this Court. The plaintiff shall also undertake that in case the plaintiff is required to re-deposit the amount the rate of interest at which the plaintiff will re-deposit the amount shall not be less than 12% per annum. Both the summons for judgment are disposed of.